

- Bank of America is a National Bank with its main office in North Carolina.¹
- Defendant JP Energy Development, LP (“JPED”) is an unincorporated association (a limited partnership)² and has alleged that diversity exists between JPED and the Plaintiffs.
- Defendant JP Energy Marketing, LLC (“JPEM”), is an unincorporated association (a limited liability company) and has alleged that diversity exists between JPEM and the Plaintiffs.
- Defendant JP Energy Partners, LP (“JPEP”) is an unincorporated association (a limited partnership) and has alleged that diversity exists between JPEP and the Plaintiffs.
- Upon information and belief, Defendant JPE GSPP, LLC (“JPE”) is an unincorporated association (a limited liability company) and has alleged that diversity exists between JPE and the Plaintiffs.

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¹ *Gorsuch, Ltd., B.C. v. Wells Fargo Nat’l Bank Ass’n*, 771 F.3d 1230, 1235 (10th Cir. 2014) (noting that a national bank is a citizen of the state where its main office is located (citing *Wachovia Bank, N.A. v. Schmidt*, 546 U.S. 303 (2006))).

² *See Carden v. Arkoma Assocs.*, 494 U.S. 185, 187–92 (1990) (in diversity analysis, rejecting the state that created a limited partnership is the state of citizenship and instead looking to citizenship of limited partnership’s general and limited partners); *Siloam Springs Hotel, L.L.C. v. Century Sur. Co.*, 781 F.3d 1233, 1237-38 (10th Cir. 2015) (holding citizenship of a limited liability company is determined based on the citizenship of its members). *See generally* Charles Alan Wright et al., *Federal Practice and Procedure* § 3723 (4th ed. 2009) (“Although a limited partnership and various other business entities possess many attributes comparable to those of corporations, for purposes of determining diversity of citizenship jurisdiction they are treated as unincorporated associations, rather than as corporations. Thus, the citizenship of all the partners or members of an organization is critical, and the state where the limited partnership or other entity is registered or has its principal place of business is not considered for purposes of determining citizenship and therefore federal subject-matter jurisdiction.”).

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on September 22, 2015, the foregoing document was filed with the Court's CM/ECF, which has generated and delivered electronic notice of filing to all counsel of record who have consented to electronic service.

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